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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 05 0561 PJH
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER FOR CONTINUANCE UNTIL
v.	)	NOVEMBER 9, 2005, AND EXCLUDING
	)	TIME FROM OCTOBER 26, 2005 TO
ARNULFO LEON CRUZ and	)	NOVEMBER 9, 2005 FROM SPEEDY
JOSE LOPEZ RAMIREZ,	)	TRIAL ACT CALCULATION (18 U.S.C. §
	)	3161(h)(8)(A))
Defendants.	)	

The parties appeared before the Court on October 26, 2005. With the agreement of the parties, and with the consent of the defendants, the Court enters this order continuing these proceedings until November 9, 2005 at 1:30P.M. for a trial setting before the Honorable Phyllis J. Hamilton, and documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from October 26, 2005 to November 9, 2005. The parties agreed, and the Court found and held, as follows:

1. The defendants agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from October 26, 2005 to November 9, 2005, outweigh the best interest of

1 the public and the defendants in a speedy trial. § 3161(h)(8)(A).

2 3. Accordingly, and with the consent of the defendants, the Court ordered that the period  
3 from October 26, 2005 to November 9, 2005 be excluded from Speedy Trial Act calculations  
4 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

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6 IT IS SO STIPULATED.

7  
8 DATED: \_\_\_\_\_

\_\_\_\_\_  
/s  
ROBERT DAVID REES  
Assistant United States Attorney

9  
10  
11 DATED: \_\_\_\_\_


\_\_\_\_\_  
/s  
RANDY MONTESANO, ESQ.  
Attorney for Arnulfo Leon Cruz

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13  
14 DATED: \_\_\_\_\_

\_\_\_\_\_  
/s  
STUART HANLON, ESQ.  
Attorney for Jose Lopez Ramirez

15  
16  
17 IT IS SO ORDERED.

18  
19 DATED: 11/1/05 \_\_\_\_\_

  
\_\_\_\_\_  
HON. PHYLLIS J. HAMILTON  
United States District Judge